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ATTORNEY FOR PLAINTIFF
UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

UNITED STATES OF AMERICA,	CR 21-14-M-DLC
Plaintiff,	OFFER OF PROOF IN SUPPORT
vs.	OF GUILTY PLEA
SHANE BRYAN JOHNSON,	
Defendant.	

The United States of America, represented by Assistant United States Attorney Jennifer S. Clark, files its offer of proof in anticipation of the change of plea hearing.

THE CHARGES

The defendant, Shane Johnson, is charged by indictment in Count I with conspiracy, in violation of 18 U.S.C. § 371 and in Count IX with Interstate

Transportation of Stolen Vehicles, in violation of 18 U.S.C. § 2312 and 2. There also is a forfeiture allegation contained in the indictment.

PLEA AGREEMENT

There is a plea agreement in this case. The defendant will enter a voluntary plea of guilty to Count IX of the indictment. The United States will move to dismiss Count I. The United States presented all formal plea offers to the defendant in writing. In the government's view, the plea agreement entered into by the parties and filed with the Court represents the most favorable offer extended to the defendant. *See, e.g., Missouri v. Frye*, 132 S. Ct. 1399 (2012).

ELEMENTS

In order to prove the charge contained in the indictment against the defendant at trial, the United States would have to prove the following elements beyond a reasonable doubt.

First, the motor vehicle was stolen;

Second, the defendant transported the motor vehicle between one state and another;

Third, the defendant knew the motor vehicle had been stolen at the time the defendant transported it; and

Fourth, the defendant intended to permanently or temporarily deprive the owner of ownership of the motor vehicle.

PENALTY

Count IX of the indictment charges the crime of Interstate Transportation of Stolen Vehicles. This offense carries penalty of up to ten years imprisonment, a \$ 250,000 fine, three years supervised release, and a \$100.00 special assessment.

ANTICIPATED EVIDENCE

If called upon to prove this case at trial, and to provide a factual basis for the defendant's plea, the United States would present, by way of testimony of law enforcement officers, lay and expert witnesses and physical evidence the following:

On July 10, 2020, Flathead County dispatch advise of reported vehicle thefts over the radio. Flathead County Sheriff Det. Shields, and FBI SA Hare responded to Montana Auto Recyclers, as did FCSO Deputy Tyeler Smith. SA Hare was aware Daniel Haslage had been released from custody in Sanders County, where he had been incarcerated for the theft of the General Lee. Det. Shields, Dep. Smith and SA Hare processed the crime scene and interviewed the business employees. A red 2016 Dodge Challenger and a Silver 2018 Dodge Ram Rebel were stolen. The Challenger was recovered on July 12, 2020 on the side of Interstate 90 by a Washington State Patrol unit. The vehicle was towed to WSP's secure lot. Also on July 12, 2020, Shane Johnson was arrested in Bonner County, Idaho, while in possession of the Dodge Ram Rebel. The Rebel was secured in

Bonner's County's secure lot. During the inventory of the Rebel, Bonner County Deputies discovered suspected methamphetamine in a baggie and more than 40 key Fobs. Haslage was arrested in possession of a stolen dump truck in Pend Oreille County Washington the same day. Haslage informed law enforcement that Dominic Lee assessed Montana Auto Recyclers as a vehicle theft target and told Haslage and Johnson about it. Haslage stated Lee dropped him and Johnson off at the business and that he and Johnson stole the Challenger and the Ram Rebel. Haslage stated he drove the Challenger and Johnson drove the Ram Rebel. Haslage stated that he and Johnson drove the vehicles into Washington, that he abandoned the Challenger on the side of Interstate 90, and that Johnson picked him up in the Ram Rebel.

The government submits that the aforementioned evidence would prove beyond a reasonable doubt all the elements of the crime charged in the indictment.

Respectfully submitted this 29th day of June, 2021.

LEIF M. JOHNSON
Acting United States Attorney

/s/ Jennifer S. Clark
Assistant U.S. Attorney
Attorney for Plaintiff